



Paper No. 18

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JUL 3 2000

SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS

In re Application of
Selawry and Cameron
Application No. 08/747,122
Filed: November 8, 1996
Attorney Docket No. 311772000321
For: Methods of Treating Disease
Using Sertoli Cells and Allografts or
Xenografts

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: DECISION ACCORDING
: STATUS UNDER 37 CFR 1.47(a)
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This is in response to the petition under 37 CFR 1.47(a), filed June 3, 1997.

This is also in response to the "Petition to Correct Inventorship Pursuant to 37 CFR 1.47(a)," filed December 30, 1999.

The petition under 37 CFR 1.47(a), filed June 3, 1997, is **granted**.

The "Petition to Correct Inventorship Pursuant to 37 CFR 1.47(a)," filed December 30, 1999, is **dismissed as moot**.

In the original petition, petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the "Declaration of Facts" of Carmella L. Stephens established that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that she sign the Declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby **accorded Rule 1.47(a) status**.

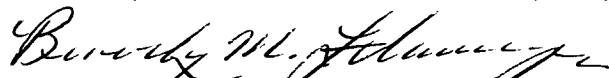
As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

As to the "Petition to Correct Inventorship Pursuant to 37 CFR 1.47(a)," filed December 30, 1999, the petition is unnecessary because the application has been granted Rule 1.47(a) status. Therefore, the petition is dismissed as moot. The Substitute Declaration of December 30, 1999, will remain in the file for the Examiner's review.

The Office will retain the \$130.00 petition fee submitted on December 30, 1999, because Office records indicate that petitioner did not submit the fee with the petition of June 3, 1997.

The file is being forwarded to Technology Center 1600 for further processing of the application.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Christina T. Tartera at (703) 306-5589.



Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Enclosure: Corrected Filing Receipt



UNITED STATES PATENT AND TRADEMARK OFFICE

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LETTER

SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS

Dear Dr. Selawry:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Christina T. Tartera at (703) 306-5589. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Beverly M. Flanagan
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Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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